

MANDATE

United States Court of Appeals
FOR THE
SECOND CIRCUIT

S.D.N.Y.-N.Y.C.
07-cv-11042
Wood, C.J.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 29th day of May , two thousand eight,

Present:

Hon. Amalya L. Kearse,
Hon. Guido Calabresi,
Hon. Robert D. Sack,
Circuit Judges.

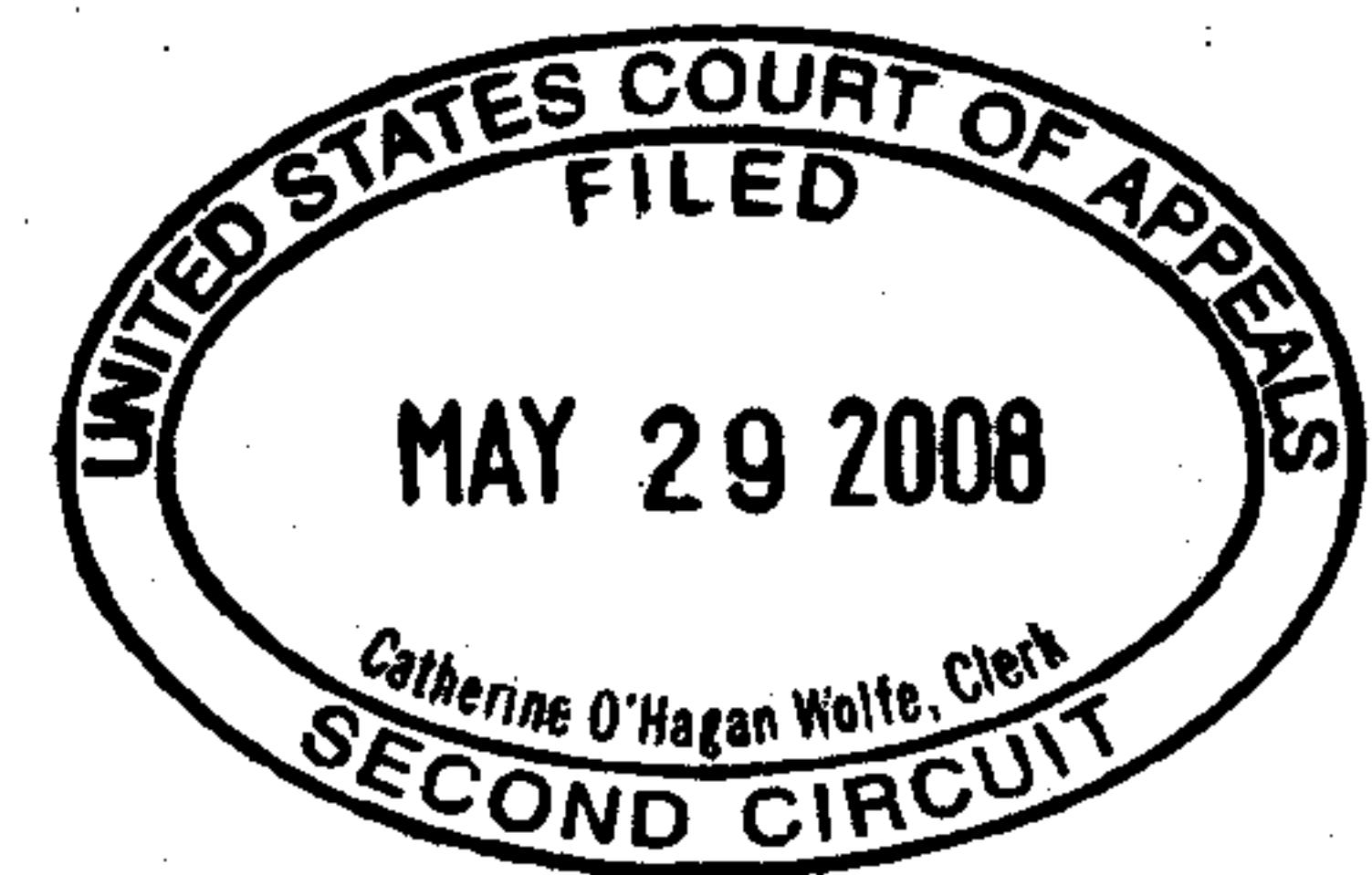
S.A. Godowner,

Plaintiff-Appellant,

v.

Footlocker, Inc.,

Defendant-Appellee.



08-1068-cv

Appellant, *pro se*, moves for leave to proceed *in forma pauperis* and for appointment of counsel. Upon due consideration, it is hereby ORDERED that the motions are DENIED and the appeal is DISMISSED because it lacks an arguable basis in law or fact. *See Neitzke v. Williams*, 490 U.S. 319, 325 (1989); 28 U.S.C. § 1915(e).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

By: *[Signature]*

A TRUE COPY
Catherine O'Hagan Wolfe, Clerk

SAO-LB

ISSUED AS MANDATE: *06/19/08*